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C O N F I D E N T I A L SECTION 01 OF 02 KINSHASA 000383

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SUBJECT: RUBERWA MISSES THE POINT; NO PROGRESS ON MINEMBWE

REF: KINSHASA 358

Classified By: PolCouns MSanderson, reasons 1.4 b/d.

¶1. (C) During a lengthy meeting March 3 PPRD officials (Senior Presidential Advisor Augustin Katumba, Presidential Chief of Staff Leonard She Okitundu, Minister of Interior Theophile Mbemba and Presidential Political Advisor Marcellin Shekembo) outlined for RCD Vice President Azarias Ruberwa and his chief of staff, Jean-Marie Emungu, their reasons why Minembwe cannot currently be granted territorial status, and proposed a compromise solution to ensure Banyamulenge inclusion in the elected government. Factual accounts of the meeting shared with PolCouns by both sides are remarkably similar, i.e., everyone agrees that the PPRD officials noted technical, administrative and political reasons why Ruberwa's request for territorial status for Minembwe cannot be met at present. (Note: These rationales were previewed to PolCouns reftel. End Note.) Emungu also confirmed the details of the PPRD proposals for Banyamulenge inclusivity.

¶2. (C) In the first proposal, each of the five "components" in the transition government would be given ten appointed (not elected) seats in the future National Assembly to which each current component leader could name representatives. In the specific case of the RCD, if VP Ruberwa wished to appoint up to ten Banyamulenge representatives, he could do so, theoretically yielding a net gain of nine more seats than would be the case if Minembwe were made a territory. A second proposal, in which Ruberwa could designate Banyamulenge candidates as alternates to strong PPRD candidates likely to win election, would result in the Banyamulenge being seated in the Assembly when the elected PPRD candidates stepped down to assume Ministerial posts. In this scenario, the Banyamulenge would have up to four seats in the Assembly. In addition, the PPRD would work to ensure that one of the existing three appointed seats in the new provincial parliament in South Kivu would go to a Banyamulenge (currently local-level representation for the community is problematic), and would also try to help ensure that at least one Banyamulenge would be named by the provincial parliament to the Senate in Kinshasa. This proposal represents a total of six possible seats for Banyamulenge overall, or a likely net gain of five seats.

¶3. (C) Both offers were rejected, and immediately following the meeting Emungu told PolCouns that a forthcoming delegation from South Africa, dispatched by President Mbeki to mediate the problem, would "get them what they wanted anyway." A subsequent conversation with Emungu made it clear that neither Ruberwa nor Emungu got the point of the meeting. Emungu confidently said, for instance, that since each of the four PPRD officials spoke about a different problem, they clearly were divided and therefore there was no need for the

VP to take them seriously. Likewise, regarding the compromise, Emungu reiterated several times that the point is not to get seats for the Banyamulenge, it is to force President Kabila to sign the decree making Minembwe a territory because it's "the principle of the thing." (Note: Ruberwa continues to insist that Kabila repeatedly promised him designate Minembwe a territory. The PPRD, of course, continues to insist otherwise. End Note.)

¶4. (C) Two South African officials spent the weekend in Kinshasa meeting with both Ruberwa and Katumba (as the lead person for the PPRD on this issue). Katumba told PolCouns March 5 that no progress had been made. Emungu said the same March 6, adding that the South Africans had urged Ruberwa to compromise, although Ruberwa still seemed puzzled as to why a compromise was necessary. (The South Africans left Kinshasa the evening of March 5.) Meanwhile, Ruberwa reportedly endured a difficult meeting with his party's founding members March 6, many of whom (according to Defense Minister Adolphe Onusumba) demanded to know by what authority Ruberwa was threatening to withdraw from elections when he had not even consulted with them.

¶5. (C) Comment: Ruberwa may feel a sense of personal betrayal, if indeed Kabila promised him personally to authorize Minembwe's territorial status - or at least if Ruberwa thought he had obtained such a promise. As well, Ruberwa's own political situation is shaky, with North Kivu Governor Serufuli having undermined Ruberwa's influence in North Kivu province, and support from other quarters of the party in question as well. As a result, Ruberwa may feel he has to deliver on Minembwe, having taken such a strong stand. He may also have misjudged the degree of support he had for

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his demand from the South Africans or others. Whatever the case, discouraged by the lack of results from the South Africans and facing resistance to his position within his party, Ruberwa may now be searching for some way forward. Unfortunately, unless he drops his insistence on obtaining territorial status for Minembwe before the elections, there are no clear ways ahead. He may be forced in the end to accept the face-saving offer of extra seats for Banyamulenge -- assuming, that is, that this offer remains on the table. At this point, the face-off seems likely to drag on at least until the March 16 visit of South African President Mbeki, who probably will be asked to reconcile the two sides. End comment.
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